

MINUTES

MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

Call to Order: Chairman Joe Balyeat, on January 30, 2009 at 8:30 A.M., in Room 422 Capitol.

ROLL CALL

Members Present:

Sen. Joe Balyeat, Chairman (R)
Sen. Verdell Jackson, Vice Chairman (R)
Sen. Gregory D. Barkus (R)
Sen. Roy Brown (R)
Sen. Jim Keane (D)
Sen. Carolyn Squires (D)
Sen. Donald J. Steinbeisser (R)
Sen. Joseph (Joe) Tropila (D)
Sen. Jonathan Windy Boy (D)

Members Excused: Sen. Jim Peterson (R)
Sen. Sharon Stewart-Peregoy (D)

Members Absent: None.

Staff Present: Linda Keim, Committee Secretary
Pat Murdo, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 269, SJ 16, 1/22/2009

Executive Action: SB 247, SB 190, SB 251, SB 253, SB
254, SB 270

EXECUTIVE ACTION ON SB 247

00:00:51 **Motion:** Sen. Windy Boy moved **SB 247 DO PASS.**

00:00:59 **Motion:** Sen. Keane moved **TO AMEND SB 247.**

EXHIBIT(bus22a01)

Discussion:

00:01:39 Pat Murdo

00:06:16 Sen. Keane requested that the committee segregate Amendment #15. Without objection, Amendment #15 was segregated and discussion was opened on Amendments 1-14 and 16.

Discussion:

00:06:59 Chairman Balyeat

00:07:08 Sen. Squires

00:07:41 Ms. Murdo

00:08:16 Chairman Balyeat

00:08:35 Ms. Murdo

00:08:40 **Substitute Motion:** Sen. Squires made a substitute motion that **HB 247 BE AMENDED** by segregating Amendment #16.

00:08:55 **Motion:** Sen. Squires moved **AMENDMENT #16 DO PASS** for the purpose of discussion.

00:09:03 **Substitute Motion:** Sen. Squires made a substitute motion to **STRIKE AMENDMENT #16.**

Discussion:

00:09:20 Chairman Balyeat

00:09:19 **Vote:** Motion carried unanimously 9-0 by voice vote of those present. Sen. Peterson and Sen. Stewart-Peregoy were not in the room and did vote.

00:09:30 **Motion:** Sen. Keane moved **AMENDMENTS #1 - #14.**

Discussion:

00:10:40 Chairman Balyeat

00:10:46 Ms. Murdo

00:11:39 Chairman Balyeat

00:12:00 Sen. Barkus requested the committee **SEGREGATE AMENDMENT #12**. Without objection, the committee agreed to vote only on Amendments 1-11, 13 and 14.

Discussion:

00:12:32 Chairman Balyeat

00:13:15 Sen. Keane

00:13:50 Sen. Brown

00:14:22 Sen. Balyeat

00:14:59 **Vote:** Motion failed 5-6 by roll call vote on Amendments #1 - #11, #13 and #14. Sen. Keane, Sen. Squires, Sen. Stewart-Peregoy, Sen. Tropila, and Sen. Windy Boy voted aye. Sen. Peterson and Sen. Stewart-Peregoy voted by proxy.

00:16:00 **Motion:** Sen. Squires moved **AMENDMENT #12**.

Discussion:

00:17:06 Sen. Balyeat

00:17:19 Sen. Steinbeisser

00:17:55 **Vote:** Motion carried 6-5 by roll call vote. Sen. Keane, Sen. Peterson, Sen. Tropila, Sen. Windy Boy, and Sen. Jackson voted no. Sen. Peterson and Sen. Stewart-Peregoy voted by proxy.

00:18:30 Sen. Keane

00:18:40 Sen. Barkus

00:18:50 Chairman Balyeat

00:19:24 **Motion:** Sen. Steinbeisser moved **AMENDMENT #15**.

Discussion:

00:20:08 Chairman Balyeat

00:20:51 Ms. Murdo

00:21:19 Sen. Brown

00:21:35 **Vote:** Motion failed unanimously, 11-0 by roll call vote. Sen. Peterson and Sen. Stewart-Peregoy voted by proxy.

00:22:55 **Motion:** Sen. Squires moved **SB 247 DO PASS AS AMENDED**.

Discussion:

00:23:23 Sen. Windy Boy

00:23:58 **Vote:** Motion carried 7-4 by roll call vote. Sen. Brown, Sen. Keane, Sen. Windy Boy, and Sen. Balyeat voted no. Sen. Peterson and Sen. Stewart-Peregoy voted by proxy.

00:24:25 Sen. Stewart-Peregoy arrived.

EXECUTIVE ACTION ON SB 251

00:25:43 **Motion:** Sen. Squires moved **SB 251 DO PASS.**

Discussion:

00:26:50 Sen. Stewart-Peregoy

00:28:44 **Vote:** Motion failed 5-6 by voice vote. Sen. Keane, Sen. Squires, Sen. Stewart-Peregoy, Sen. Tropila, and Sen. Windy Boy voted aye. Sen. Peterson voted by proxy.

00:28:59 **Motion/Vote:** Chairman Balyeat moved that **SB 251 BE TABLED AND THE VOTE REVERSED.** Without objection, the vote was reversed and the bill was tabled 6-5 by unanimous agreement of those present.

EXECUTIVE ACTION ON SB 253

00:30:37 **Motion:** Sen. Barkus moved **SB 253 DO PASS.**

00:30:45 Sen. Barkus withdrew the motion.

00:30:55 **Motion:** Sen. Steinbeisser moved **SB 253 DO PASS.**

Discussion:

00:31:22 Sen. Stewart-Peregoy

00:31:35 Sen. Barkus

00:32:56 Sen. Steinbeisser

00:33:20 Sen. Squires

00:33:50 Sen. Steinbeisser

00:33:56 Ms. Murdo

00:35:06 Sen. Squires

00:35:49 Chairman Balyeat

00:37:39 Sen. Steinbeisser

00:37:45 Sen. Squires

00:39:31 Chairman Balyeat
00:40:03 Sen. Keane
00:41:39 Sen. Brown
00:42:16 Sen. Steinbeisser
00:42:28 Sen. Tropila
00:43:24 Sen. Barkus
00:43:54 Chairman Balyeat
00:47:19 Sen. Windy Boy
00:48:41 Sen. Squires
00:50:57 Chairman Balyeat
00:52:00 Sen. Tropila

00:52:31 **Vote:** Motion carried 6-5 by roll call vote. Sen. Keane, Sen. Squires, Sen. Stewart-Peregoy, Sen. Tropila, and Sen. Windy Boy voted no. Sen. Peterson voted by proxy.

EXECUTIVE ACTION ON SB 254

00:53:51 **Motion:** Sen. Steinbeisser moved **SB 254 DO PASS.**

Discussion:

00:54:10 Chairman Balyeat
00:54:15 Sen. Keane
00:54:54 Sen. Squires
00:55:42 Sen. Steinbeisser
00:56:02 Chairman Balyeat
00:57:57 Sen. Tropila
00:58:08 Ms. Murdo
00:58:21 Chairman Balyeat
00:59:06 Sen. Windy Boy
00:59:30 Sen. Barkus
01:00:35 Sen. Stewart-Peregoy

01:01:02 **Vote:** Motion failed 2-9 by roll call vote. Sen. Barkus and Sen. Steinbeisser voted aye. Sen. Peterson voted by proxy.

01:01:45 **Motion/Vote:** Sen. Keane moved without objection to reverse the vote and table. SB 254 was tabled 9-2.

EXECUTIVE ACTION ON SB 190

01:03:17 **Motion:** Sen. Windy Boy moved **SB 190 DO PASS.**

Discussion:

01:03:31 Sen. Barkus
01:04:02 Chairman Balyeat
01:05:20 Sen. Brown

01:05:29 **Vote:** Motion failed 5-6 by roll call vote. Sen. Keane, Sen. Squires, Sen. Stewart-Peregoy, Sen. Tropila, and Sen. Windy Boy voted aye. Sen. Peterson voted by proxy.

01:06:30 **Motion/Vote:** Chairman Balyeat moved that **SB 190 BE TABLED AND THE VOTE REVERSED**. Without objection, the vote was reversed and the bill was tabled 6-5 by unanimous agreement of those present.

01:07:32 Recess
01:26:02 Resume

01:26:13 Chairman Balyeat

HEARING ON SB 269

Opening Statement by Sponsor:

01:26:48 Sen. Roy Brown (R), SD 25, opened the hearing on SB 269, Revise the regulation of time shares.
EXHIBIT (bus22a02)

Proponents' Testimony:

01:28:00 Connie Wardell, Self, Billings
01:30:35 C. E. Abramson, Real Estate Broker

Opponents' Testimony: None

Informational Testimony:

01:32:31 Gene Allison, Board Counsel, Board of Realty Regulation, Deputy Chief Counsel, Department of Labor and Industry (DOLI)

Questions from Committee Members and Responses:

01:33:42 Sen. Tropila
01:34:20 C. E. Abramson
01:34:59 Sen. Keane
01:35:25 Mr. Abramson
01:36:56 Sen. Keane

01:37:11 Connie Wardell
01:38:51 Sen. Barkus
01:39:24 Sen. Brown
01:40:17 Sen. Barkus
01:42:22 Mr. Allison
01:43:03 Sen. Stewart-Peregoy
01:44:02 Mr. Allison

Closing by Sponsor:

01:45:02 Sen. Brown

HEARING ON SJ 16

Opening Statement by Sponsor:

01:46:08 Sen. Roy Brown (R), SD 25, opened the hearing on SJ 16, Study cost of auto insurance and compliance with mandatory requirements.

Proponents' Testimony:

01:50:02 Greg Van Horssen, State Farm Insurance
01:51:31 Jacqueline Lenmark, American Insurance Association,
also representing Bruce Spencer, Property Casualty
Insurers of America
01:52:52 Dwight Easton, Farmers Insurance Companies

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:53:45 Sen. Keane
01:54:19 Sen. Brown
01:55:02 Jacqueline Lenmark
01:55:23 Sen. Tropila
01:55:42 Greg Van Horssen

Closing by Sponsor:

01:56:05 Sen. Brown

EXECUTIVE ACTION ON SB 270

01:56:44 **Motion:** Sen. Windy Boy moved **SB 270 DO PASS.**

Discussion:

01:57:34 Sen. Keane
01:58:01 Sen. Brown
01:58:24 Sen. Keane
01:58:44 Sen. Brown
01:58:59 Chairman Balyeat
01:59:14 Ms. Murdo
01:59:46 Sen. Balyeat
01:59:53 Sen. Brown
02:00:40 Sen. Keane
02:00:57 Sen. Jackson
02:02:47 Sen. Keane

02:03:07 **Vote:** Motion failed 5-6 by roll call vote. Sen. Keane, Sen. Squires, Sen. Stewart-Peregoy, Sen. Tropila, and Sen. Windy Boy voted aye. Sen. Peterson voted by proxy.

02:03:45 **Motion/Vote:** Chairman Balyeat moved that **SB 270 BE TABLED AND THE VOTE REVERSED**. Without objection, the vote was reversed and the bill was tabled 6-5 by unanimous agreement of those present.

02:03:48: Chairman Balyeat

EXHIBIT (bus22a03) Pertains to letter from State Auditors Office on SB 142 heard on 1/27/09.

ADJOURNMENT

Adjournment: 10:45 A.M.

Linda Keim, Secretary

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Additional Documents:

EXHIBIT ([bus22aad.pdf](#))